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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,372	03/09/2004	James K. Kebinger	POU920030176US1	2280
23334 7590 03/10/2008 FLETT, KAIN, GIBBONS, GUTMAN, BONGINI & BIANCO P.L. ONE BOCA COMMERCE CENTER 551 NORTHWEST 77TH STREET, SUITE 111 BOCA RATON, FL 33487				
EXAMINER PICH, PONNOREAY				
ART UNIT 2135		PAPER NUMBER		
NOTIFICATION DATE 03/10/2008		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptoboca@focusnip.com

Office Action Summary

Application No.

10/796,372

Applicant(s)

KEBINGER ET AL.

Examiner

PONNOREAY PICH

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date 3/04

DETAILED ACTION

Claims 1-20 are pending.

Information Disclosure Statement

Document 2780797 listed in the IDS submitted on 3/9/2004 was not considered because it does not comply with 37 CFR 1.98(a)(3).

Specification

The disclosure is objected to because of the following informalities: In paragraph 22, line 9, "fro" should be "for".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-6, 9, 11-13, 15, and 17-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Worth (US 5,881,225).

Claims 1, 9, and 15:

As per claim 1, Worth discloses:

1. Receiving login information from the user (Fig 2A, steps 24 and 28), the login information including the first username (col 3, lines 2-5 and col 4, lines 1-3), an alternate class (col 2, lines 50-54 and col 6, lines 33-42), and a password (col 3,

lines 2-5 and col 4, lines 1-3). *The examiner considers Worth's disclosed roles as being equivalent to the claimed first class and alternate class of the user. In the cited portions, when a user logs onto the system, the user enters his/her user id and password and selects a first role for the particular login session. Cited column 6, lines 33-42 further indicates that the user can also choose an alternate role/class after logging in.*

2. Authenticating the user based on the first username and the password (Fig 2A, step 26).
3. Providing access to the computer system as the alternate class (col 4, line 66-col 5, line 4 and col 6, lines 33-48). *The user's role at any particular moment is used to determine what privileges are given to the user, what functionalities the user has and which data the user is allowed to view. When the user switches role as discussed in the cited sections, one would expect that access to the computer system would be provided according to the new role.*
4. Wherein the alternate class is different than the first class (col 6, lines 33-42).

Claim 9 is directed towards a computer program product comprising a storage medium readable by a processing circuit and storing instructions for execution by the processing circuit for performing the method of claim 1 and is rejected for similar reasons as claim 1. Since Worth invention is implemented via a computer system, a computer program product comprising a storage medium as recited in claim 9 is inherent to Worth's invention.

Claim 15 is directed towards a system having an interface and processor for performing the method of claim 1 and is rejected for similar reasons as claim 1. Since the user is able to enter his/her user id and password in Worth's invention, this implies there being an interface receiving login information from the user as claimed. Since Worth's invention is implemented using a computer system (col 2, lines 45-49), it has a processor as claimed since all computer systems have processors.

Claims 3, 11, and 17:

Worth further discloses wherein the processor verifies that the user is authorized to be provided access to the computer system as the alternate class (col 6, lines 33-42), wherein the step of providing access to the computer system as the alternate class is only performed if the user's authorization is verified (col 6, lines 38-42 and Fig 2A).

Claim 4:

Worth further discloses wherein the verifying step includes the sub-step of looking up the first username in an identity switching authorization table (col 6, lines 33-42).

Claims 5, 12, and 18:

Worth further discloses wherein the providing step includes the sub-step of the processor providing the user with a user interface of the alternate class after login (col 6, lines 33-49).

Claims 6, 13, and 19:

Worth further discloses wherein in the providing step the processor provides the user with the experience of a user in the alternate class (col 6, lines 33-49).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Note that it is determined that a person of ordinary skill in the art would be someone having a BS in Computer Science (or someone with equivalent industry experience).

Claims 2, 7, 10, 14, 16, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Worth (US 5,881,225) in view of Numano (US 7,194,631).

Claims 2, 10, and 16:

Worth disclose all the limitations of claims 1, 9, and 15. Worth does not explicitly disclose wherein the login information further includes a second username, and in the providing step, access to the computer system is provided (by the processor) with the rights and privileges of the second username.

However, recall that privileges in Worth's invention are determined by the user's role (col 5, lines 1-4). Further, Numano discloses an invention which allows for user switching (col 1, lines 60-63), wherein a first user having a first username and password (col 4, lines 36-40) switches to a second user by providing login information including a

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second user name and password (col 6, lines 1-12). Once, the second username and password has been authenticated, access to the computer system is provided by a processor with the rights and privileges of the second username (col 5, lines 57-67; col 7, lines 11-17; and col 8, lines 40-47). Note that in the user switching example which spans columns 6-7 of Numano, a switch from a user having a role/class of "administrator" to one having a role/class of "user" is performed. After the switch, access to the computer system is given with the rights and privileges of the "user" class. Note that the user switching performed by Numano also results in a role switch.

From Numano's teachings, it would have been obvious to one of ordinary skill in the art to modify Worth's invention according to the limitations recited in claims 2, 10, and 16 such that instead of merely choosing a second role as taught by Worth, to switch to the second role, one provided a second username with the login information and in the providing step, access to the computer system is provided by the processor with the rights and privileges of the second username. Both Worth and Numano's invention are concerned with controlling functional access to a computer system. As per *KSR v. Teleflex (Supreme Court, 2006)*, simple substitution of one known element for another to obtain predictable result is obvious. In this case, the invention recited in claims 2, 10, and 16 is the obvious result of substituting Numano's user and role switching method in place of Worth's role switching method.

Claims 7, 14, and 20:

Worth disclose all the limitations of claims 1, 9, and 15. Worth does not explicitly disclose wherein in the receiving interface/step, the first username and alternate class

are entered into a singled data field so that identity switching is accomplished in one user step.

However, a first username and alternate class are types of login information. Numano discloses a receiving interface (Fig 2, item 511; Fig 3, item 511; and Fig 4, item 511) which allows all the login information (i.e. user name and password) to be entered into a single data field (i.e. login GUI 511) so that identity switching is accomplished in one user step. One skilled in the art having common sense and creativity would have found it obvious to apply Numano's teachings to other types of login information other than just usernames and passwords.

At the time applicant's invention was made, it would have been obvious to one skilled in the art to modify Worth's invention using Numano's teachings such that when performing identity/role switching, all user information such as the first username and alternate class was entered into a single data field so that identity switching is accomplished in only one user step. It would have been obvious to one skilled to do so because entering all user information into a single data field for identity/role switching would allow for faster identity/role switching.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Worth (US 5,881,225) in view of He et al (US 6,088,451).

Claim 8:

Worth disclose all the limitations of claims 1, 9, and 15. Worth does not explicitly disclose the step of recording an audit trail that includes at least some of the actions performed by the first user, the audit trail including the first username. However, He discloses the limitation (col 10, line 49-col 11, line 6 and col 23, lines 30-36).

At the time applicant's invention was made, it would have been obvious to one skilled in the art to modify Worth's invention according to the limitations recited in claim 8 in light of He's teachings. One skilled would have been motivated to do so because use of auditing as taught by He would provide means for detecting malicious attempts to circumvent security mechanisms (He: col 10, lines 49-52).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PONNOREAY PICH whose telephone number is (571)272-7962. The examiner can normally be reached on 9:00am-4:30pm Mon-Thurs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ponnoreay Pich/
Examiner, Art Unit 2135